

May 15, 2015

REGULAR MEETING MINUTES  
ILLINOIS CIVIL SERVICE COMMISSION  
May 15, 2015

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 1:30 P.M. AT 607 EAST ADAMS STREET, SUITE 801, SPRINGFIELD, ILLINOIS

II. PRESENT

Fredrick H. Bates, Chairman; Anita M. Cummings, Susan Moylan Krey, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; Andrew Barris, Assistant Executive Director; Mike Quinlan, John Logsdon, Chris Nickols and Mark Mierzejewski, Illinois Department of Central Management Services; Karey Wanless (by telephone) and Joseph Rose (by telephone), Illinois Department of Corrections; Lisa Stephens (by telephone) and Luz Agosto (by telephone), Illinois Criminal Justice Information Authority; James Joseph, Jennifer Ricker, and Kevin Moore, Illinois Emergency Management Agency; Heidi Guernsey (by telephone), Illinois Department of Human Services; Lori Tinsley, Lainie Krozel (by telephone), and Erin Klee (by telephone) Illinois Department of Revenue; and Beth Dueterhaus, Administrative and Regulatory Shared Services Center.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD ON APRIL 17, 2015

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 4-0 TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON APRIL 17, 2015.**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

At this time, in accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Executive Director Daniel Stralka offered an opportunity for any person to address members of the Commission. Hearing no response, the meeting proceeded to the next agenda item.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions from Department of Central Management Services**

| <u>Agency</u>                                    | <u>Total Employees</u> | <u>Number of Exempt Positions</u> |
|--|------------------------|-----------------------------------|
| Aging.....                                       | 132.....               | 18                                |
| Agriculture .....                                | 328.....               | 20                                |
| Arts Council .....                               | 15.....                | 2                                 |
| Capitol Development Board.....                   | 46.....                | 0                                 |
| Central Management Services.....                 | 1,354.....             | 115                               |
| Children and Family Services .....               | 2,640.....             | 49                                |
| Civil Service Commission.....                    | 4.....                 | 0                                 |
| Commerce & Economic Opportunity.....             | 320.....               | 69                                |
| Commerce Commission .....                        | 68.....                | 0                                 |
| Corrections.....                                 | 11,086.....            | 98                                |
| Criminal Justice Authority .....                 | 54.....                | 5                                 |
| Deaf and Hard of Hearing Comm.....               | 7.....                 | 1                                 |
| Developmental Disabilities Council.....          | 9.....                 | 1                                 |
| Emergency Management Agency.....                 | 78.....                | 5                                 |
| Employment Security .....                        | 1,226.....             | 32                                |
| Environmental Protection Agency.....             | 782.....               | 18                                |
| Financial & Professional Regulation.....         | 446.....               | 49                                |
| Gaming Board .....                               | 164.....               | 6                                 |
| Guardianship and Advocacy .....                  | 104.....               | 8                                 |
| Healthcare and Family Services .....             | 2,083.....             | 26                                |
| Historic Preservation Agency.....                | 147.....               | 14                                |
| Human Rights Commission.....                     | 14.....                | 2                                 |
| Human Rights Department.....                     | 139.....               | 9                                 |
| Human Services .....                             | 12,971.....            | 75                                |
| Illinois Torture Inquiry Relief Commission ..... | 3.....                 | 1                                 |
| Independent Tax Tribunal .....                   | 1.....                 | 0                                 |
| Insurance .....                                  | 243.....               | 16                                |
| Investment Board .....                           | 4.....                 | 2                                 |
| Juvenile Justice.....                            | 1,045.....             | 25                                |
| Labor.....                                       | 95.....                | 11                                |
| Labor Relations Board Educational.....           | 10.....                | 2                                 |
| Labor Relations Board State.....                 | 14.....                | 2                                 |
| Law Enforcement Training & Standards Bd. ....    | 17.....                | 2                                 |
| Lottery.....                                     | 128.....               | 7                                 |
| Military Affairs .....                           | 122.....               | 3                                 |
| Natural Resources .....                          | 1,196.....             | 31                                |
| Pollution Control Board .....                    | 20.....                | 2                                 |
| Prisoner Review Board.....                       | 17.....                | 0                                 |
| Property Tax Appeal Board.....                   | 31.....                | 1                                 |
| Public Health.....                               | 1,180.....             | 41                                |
| Racing Board.....                                | 2.....                 | 1                                 |
| Revenue.....                                     | 1,722.....             | 54                                |
| State Fire Marshal .....                         | 125.....               | 12                                |
| State Police.....                                | 1,087.....             | 9                                 |
| State Police Merit Board .....                   | 5.....                 | 2                                 |
| State Retirement Systems.....                    | 108.....               | 3                                 |
| Transportation .....                             | 2,298.....             | 0                                 |
| Veterans' Affairs.....                           | 1,367.....             | 9                                 |
| Workers' Compensation Commission.....            | 124.....               | 11                                |
| <b>TOTALS .....</b>                              | <b>45,181.....</b>     | <b>869</b>                        |

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
- 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

\* \* \*

**C. Requests for 4d(3) Exemption**

Executive Director Daniel Stralka reported the following:

- As to Item C, this request is for the Associate Director of the Adult Redeploy Illinois unit at the Criminal Justice Information Authority, a position that reports to the Director. This position was continued for two months to allow the Criminal Justice Information Authority time to respond to Staff inquiries. The Adult Redeploy Illinois program is based in the Crime Reduction Act of 2009 and essentially is a grant incentive program for counties to establish their own programs to treat or otherwise monitor non-violent offenders rather than have them incarcerated by the State. The State saves the cost of incarceration while these non-violent offenders receive treatment to avoid further interactions with the penal system.

While it is abundantly clear that such a program would warrant a principal policy exemption, the concern here was that the Crime Reduction Act places the responsibility for running the program not with the Criminal Justice Information Authority but with an Adult Redeploy Illinois Oversight Board that it created. It appears that the Criminal Justice Information Authority has been providing administrative support for this Board since its inception, but the statute places responsibility for running this program with the Board and not the agency. In fact, a review of the Board's Meeting Minutes and Annual Report confirmed that it has a Program Director who does exactly that. The main reason for the delay was that it was not made clear until after the April meeting that this requested position is, in fact, the Program Director who reports to the Board. There is more of a dotted line connection to the Director of the Criminal Justice Information Authority. The agency ended up submitting a clarified position description form that made this clear. Since this position has principal policy responsibility for administering the Adult Redeploy Illinois Program, Staff recommended approval of this request. Lisa Stephens concurred with this description.

- As to Item D, this request is for the Chief Accountability Officer at the Illinois Emergency Management Agency, a position that reports to the Director. This position was created in response to the passage of the Grant Accountability and Transparency Act (GATA) which mandates that each grant-making agency such as Illinois Emergency Management Agency appoint such a position. However, a review of GATA indicates that primary policy formulation and implementation responsibilities lay with the Governor's Office of Management and Budget (GOMB) and not at the agency level. The agencies' Chief Accountability Officers are simply to ensure the agencies implement and comply with the rules set forth by GOMB. That is why Staff found the statutory role of Chief Accountability Officer minimally compelling. However, the Illinois Emergency Management Agency has a significant role in the administering of grants related to its mission (\$465,000,000 to hundreds of sub-grantees). This position has significant independent responsibility in the administration of these grants. This includes the ability to effectively direct how and where the agency's grant resources are directed, and monitoring sub-grantee compliance with the terms of

their grants. There was an issue as to overlap with the agency’s exempt Chief Fiscal Officer position, but that was rectified by the submission of clarified positions descriptions for both positions. For these reasons, Staff recommended approval of this request. James Joseph, Director of the Illinois Emergency Management Agency, noted for the Commissioners the agency’s role in the State’s emergency response to the recent tornado damage in northern Illinois. He added that this position will add transparency to the grant process at the Emergency Management Agency. Director Joseph related a brief story regarding a substantial grant for a security camera system that was questioned due to lack of transparency. This position will result in greater transparency in the use of taxpayer dollars.

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER CUMMINGS, AND THE MOTION ADOPTED 4-0, TO GRANT THE EXEMPTION REQUEST FOR THE FOLLOWING POSITIONS:**

- C: Associate Director, Adult Redeploy Illinois Unit (Criminal Justice Information Authority)**
- D: Chief Accountability Officer (Emergency Management Agency)**

**The following 4d(3) exemption requests were granted on May 15, 2015:**

**C. Criminal Justice Information Authority**

|                  |  |
|------------------|--|
| Position Number  | 40070-50-05-600-00-01                            |
| Position Title   | Senior Public Service Administrator              |
| Bureau/Division  | Director’s Office                                |
| Functional Title | Associate Director, Adult Redeploy Illinois Unit |
| Incumbent        | Vacant   |
| Supervisor       | Executive Director                               |
| Location         | Cook County                                      |

**D. Illinois Emergency Management Agency**

|                  |                                     |
|------------------|-------------------------------------|
| Position Number  | 40070-50-17-000-10-03               |
| Position Title   | Senior Public Service Administrator |
| Bureau/Division  | Director’s Office                   |
| Functional Title | Chief Accountability Officer        |
| Incumbent        | Vacant                              |
| Supervisor       | Director                            |
| Location         | Sangamon County                     |

**E. Proposed Rescissions in accordance with Section 1.142(b) of the Rules of the Civil Service Commission**

Executive Director Stralka reported that on April 15, 2015 Staff provided notice to the Director of Central Management Services in accordance with our Rules followed by letters to all affected agency directors notifying them of which positions may be placed on this month's agenda for rescission. These notices included 23 positions, three of which had been continued from the Commission's February meeting. Many issues were resolved during this initial period so that when it came time to finalize the agenda only 11 positions were included for the Commission to determine if their 4d(3) exemptions should be rescinded.

As a reminder, Commission rules provide that rescissions shall be approved only after the Commission has determined that an adequate level of managerial control exists in exempt status which will insure responsive and accountable administrative control of agency programs. It is Commission staff's position that such control exists for all these proposed rescissions.

- The Staff's issues surrounding Items E1, E4 and E10 were resolved or otherwise disposed of prior to the meeting. Therefore Staff recommends denial of these proposed rescissions.

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 4-0, TO DENY THE PROPOSED RESCISSION FOR THE FOLLOWING POSITIONS:**

**E1: Central Management Services – Regional Client Manager (Region 6)  
E4: Central Management Services – Assistant Deputy Director, Benefits  
E10: Insurance – Deputy Director, Health Products Division**

- Items E6, E7, E8 and E11 all address an issue regarding the manner in which the job duties of exempt positions are materially changed without additional consideration by the Commission. It is best addressed at a future meeting so Staff recommends continuing these until the Commission's August 2015 meeting.

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0, TO CONTINUE TO AUGUST 21, 2015 THE PROPOSED RESCISSION FOR THE FOLLOWING POSITIONS:**

**E6: Children & Family Services – Associate Deputy Director, Community Resources  
E7: Corrections – Chief Public Safety Officer  
E8: Corrections – Public Safety Officer Liaison  
E11: Revenue – Customer Service**

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0, TO DENY THE PROPOSED RESCISSION FOR THE FOLLOWING POSITIONS:**

- E2: Historic Preservation – State Historian / Manager, Lincoln Presidential Library and Museum-Research & Collections Manager**
- E3: Revenue – Human Resources Director**
- E5: Central Management Services – Media Administrator, Transportation**
- E9: Historic Preservation – Manager, Museum Programs**

**The following proposed 4d(3) exemption rescissions were denied on May 15, 2015:**

| <b>Item</b>     | <b>Agency</b>          | <b>Position Number</b> | <b>Functional Title</b>   |
|-----------------|------------------------|------------------------|---|
| <sup>1</sup> E1 | Central Mgmt. Services | 40070-37-60-010-06-01  | Regional Client Manager for Region 6 (Central)  |
| E2              | Historic Preservation  | 40070-48-52-000-00-01  | State Historian / Manager, Lincoln Presidential Library & Museum-Research & Collections |
| E3              | Revenue                | 40070-25-45-000-00-01  | Human Resources Director  |
| E4              | Central Mgmt. Services | 40070-37-30-000-01-01  | Assistant Deputy Director, Benefits   |
| E5              | Central Mgmt. Services | 40070-37-80-100-01-25  | Media Administrator-Transportation  |
| E9              | Historic Preservation  | 40070-48-55-000-00-01  | Manager, Lincoln Presidential Library and Museum, Museum Programs                       |
| E10             | Insurance              | 40070-14-19-000-00-01  | Deputy Director, Health Products Div.   |

**The following proposed 4d(3) exemption rescissions were continued to August 21, 2015 on May 15, 2015:**

| <b>Item</b> | <b>Agency</b>              | <b>Position Number</b> | <b>Functional Title</b>                        |
|-------------|----------------------------|------------------------|--|
| E6          | Children & Family Services | 40070-16-60-430-00-01  | Associate Deputy Director, Community Resources |
| E7          | Corrections                | 40070-29-00-200-00-01  | Chief Public Safety Officer                    |
| E8          | Corrections                | 40070-29-00-000-01-03  | Public Safety Officer Liaison                  |
| E11         | Revenue                    | 40070-25-82-100-00-01  | Customer Service                               |

<sup>1</sup> Proposed rescissions E1, E2, and E3 have been continued from the November 21, 2014 and February 20, 2015 meetings.

May 15, 2015

VI. CONSIDERATION OF THE STATUS OF PRIVATE SECRETARIES AND CONFIDENTIAL ASSISTANTS EXEMPT FROM JURISDICTION B PURSUANT TO SECTION 4D(1) OF THE PERSONNEL CODE

Staff noted that it just received the response from Central Management Services yesterday so suggested that this matter be continued to the June meeting to allow for consideration of the response. The Commissioners were in agreement with proceeding in this manner.

VII. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

The following class titles were submitted for abolishment, creation, and revision by the Director of the Illinois Department of Central Management Services (CMS):

B. Revenue Senior Special Agent (revision)

C. Epidemiology Research and Investigation Scientist (creation)

D. Fire Certification Specialist I (revision)  
Fire Certification Specialist II (revision)

E. Juvenile Justice Specialist Intern (revision)  
Juvenile Justice Specialist (revision)  
Juvenile Justice Supervisor (revision)  
Juvenile Justice Chief of Security (revision)

- F. Educator-Provisional (abolishment)  
Educator Intern (creation)
  
- G. Hearing & Speech Technician II (revision)  
Mental Health Specialist Trainee (revision)  
Mental Health Specialist I (revision)  
Mental Health Specialist II (revision)  
Activity Therapist (revision)  
Behavioral Analyst Associate (revision)  
Health Facilities Surveyor I (revision)  
Mental Health Administrator Trainee (revision)  
Mental Health Specialist III (revision)  
Activity Therapist Coordinator (revision)  
Behavioral Analyst I (revision)  
Habilitation Program Coordinator (revision)  
Mental Health Administrator I (revision)  
Behavioral Analyst II (revision)  
Health Facilities Surveyor II (revision)  
Health Facilities Surveyor III (revision)  
Mental Health Administrator II (revision)  
Chaplain I (revision)  
Chaplain II (revision)  
Hearing & Speech Advanced Specialist (revision)  
Clinical Psychologist (revision)
  
- H. Student Worker (revision)  
Intermittent Clerk (revision)  
Library Aide I (revision)  
Microfilm Operator I (revision)  
Office Clerk (revision)  
Switchboard Operator I (revision)  
Microfilm Operator II (revision)  
Office Assistant (revision)  
Human Resources Trainee (revision)  
Office Administrator I (revision)  
Switchboard Operator II (revision)  
Human Resources Assistant (revision)  
Office Associate (revision)  
Public Aid Eligibility Assistant (revision)  
Rehabilitation Case Coordinator I (revision)  
Office Administrator II (revision)  
Office Coordinator (revision)  
Pharmacy Technician (revision)  
Switchboard Operator III (revision)  
Library Technical Assistant (revision)  
Rehabilitation Case Coordinator II (revision)  
Telecommunicator Trainee (revision)  
Emergency Response Telecommunicator (revision)

**Executive Secretary I (revision)**  
**Human Resources Associate (revision)**  
**Industrial Commission Technician (revision)**  
**Office Administrator III (revision)**  
**Office Specialist (revision)**  
**Aircraft Dispatcher (revision)**  
**Library Associate (revision)**  
**Office Administrative Specialist (revision)**  
**Vocational Instructor (revision)**  
**Employment Security Program Representative (revision)**  
**Employment Security Program Representative – Intermittent (revision)**  
**Executive Secretary II (revision)**  
**Office Administrator IV (revision)**  
**Court Reporter (revision)**  
**Office Administrator V (revision)**  
**Executive Secretary III (revision)**  
**Librarian I (revision)**  
**Private Secretary I (revision)**  
**Private Secretary II (revision)**  
**Librarian II (revision)**  
**Technical Advisor I (revision)**

Assistant Executive Director Barris summarized the following issues related to each agenda item:

- Item B - the Revenue Senior Special Agent - the revision was requested because the class needed to be updated to reflect accuracy in the education and experience requirements. The class was last revised almost 20 years ago in October 1996.
- Item C - the Epidemiology Research and Investigation Scientist - the creation of the class is required to conduct and direct epidemiologic studies and urgent investigations and manage the disease surveillance systems.
- Item D - Fire Certification Specialist I and II - In sum, these classes were created in July 2013 and staff questioned why a revision was already necessary and wasn't the issue of qualified applicants foreseeable? These questions were posed to Ben Fokum at Central Management Services Technical Services who forwarded them to Jodi Schrage at the office of the State Fire Marshal. Schrage explained that the classification series was created to replace the previous series to transition from part time to intermittent so the office of the State Fire Marshal had more control over scheduling which in turn would result in more accountability from staff. In addition the job focus moved from primarily proctoring firefighter exams to auditing fire department training records. The initial requirement for certification as a Training Program Manager was required but this is a newer certification. The office of the State Fire Marshal had hoped that candidates would have had enough time to obtain this new certification but due to lack of availability of the course offering in the specific geographic areas resulted in no qualified candidates. The current change still requires the certification but allows for this to be obtained once on the job.

May 15, 2015

- Item E - The revisions to the four Juvenile Justice classes were necessary as a result of changes to the requirements found in 730 ILCS 5/3-2.5-15(b) that became effective on January 1, 2015. The changes were related to the experience requirements of the classes.
- Item F - the Abolishment of the Educator - Provisional class and the creation of the Educator Intern class – the abolishment and creation of these classes was requested due to changes in the Illinois School Code. The last such changes were made in 2001.
- Items G and H - As to the 65 class revisions under Items G and H, these revisions were not substantive in nature. Rather, the revisions were necessary to make the classes up-to-date with appropriate and/or accurate language, i.e., eliminating the use of terms such as “mental retardation” or replacing “typing” with “keyboarding.”

An agreement was reached through collective bargaining regarding all of the classes.

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0, TO APPROVE THE ABOLISHMENT, CREATION, AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON JUNE 1, 2015:**

- B. Revenue Senior Special Agent (revision)**
- C. Epidemiology Research and Investigation Scientist (creation)**
- D. Fire Certification Specialist I (revision)**  
**Fire Certification Specialist II (revision)**
- E. Juvenile Justice Specialist Intern (revision)**  
**Juvenile Justice Specialist (revision)**  
**Juvenile Justice Supervisor (revision)**  
**Juvenile Justice Chief of Security (revision)**
- F. Educator-Provisional (abolishment)**  
**Educator Intern (creation)**
- G. Hearing & Speech Technician II (revision)**  
**Mental Health Specialist Trainee (revision)**  
**Mental Health Specialist I (revision)**  
**Mental Health Specialist II (revision)**  
**Activity Therapist (revision)**  
**Behavioral Analyst Associate (revision)**  
**Health Facilities Surveyor I (revision)**  
**Mental Health Administrator Trainee (revision)**  
**Mental Health Specialist III (revision)**  
**Activity Therapist Coordinator (revision)**  
**Behavioral Analyst I (revision)**

**Habilitation Program Coordinator (revision)**  
**Mental Health Administrator I (revision)**  
**Behavioral Analyst II (revision)**  
**Health Facilities Surveyor II (revision)**  
**Health Facilities Surveyor III (revision)**  
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**Hearing & Speech Advanced Specialist (revision)**  
**Clinical Psychologist (revision)**

**H. Student Worker (revision)**  
**Intermittent Clerk (revision)**  
**Library Aide I (revision)**  
**Microfilm Operator I (revision)**  
**Office Clerk (revision)**  
**Switchboard Operator I (revision)**  
**Microfilm Operator II (revision)**  
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**Office Administrator I (revision)**  
**Switchboard Operator II (revision)**  
**Human Resources Assistant (revision)**  
**Office Associate (revision)**  
**Public Aid Eligibility Assistant (revision)**  
**Rehabilitation Case Coordinator I (revision)**  
**Office Administrator II (revision)**  
**Office Coordinator (revision)**  
**Pharmacy Technician (revision)**  
**Switchboard Operator III (revision)**  
**Library Technical Assistant (revision)**  
**Rehabilitation Case Coordinator II (revision)**  
**Telecommunicator Trainee (revision)**  
**Emergency Response Telecommunicator (revision)**  
**Executive Secretary I (revision)**  
**Human Resources Associate (revision)**  
**Industrial Commission Technician (revision)**  
**Office Administrator III (revision)**  
**Office Specialist (revision)**  
**Aircraft Dispatcher (revision)**  
**Library Associate (revision)**  
**Office Administrative Specialist (revision)**  
**Vocational Instructor (revision)**  
**Employment Security Program Representative (revision)**  
**Employment Security Program Representative – Intermittent (revision)**  
**Executive Secretary II (revision)**  
**Office Administrator IV (revision)**  
**Court Reporter (revision)**

May 15, 2015

**Office Administrator V (revision)**  
**Executive Secretary III (revision)**  
**Librarian I (revision)**  
**Private Secretary I (revision)**  
**Private Secretary II (revision)**  
**Librarian II (revision)**  
**Technical Advisor I (revision)**

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER CUMMINGS, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY.**

**VIII. MOTION TO CLOSE A PORTION OF THE MEETING**

**IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE THE MOTION ADOPTED 4-0 TO CLOSE A PORTION OF THE MEETING PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT.**

|              |            |                 |            |
|--------------|------------|-----------------|------------|
| <b>BATES</b> | <b>YES</b> | <b>CUMMINGS</b> | <b>YES</b> |
| <b>KREY</b>  | <b>YES</b> | <b>URLACHER</b> | <b>YES</b> |

May 15, 2015

IX. RECONVENE THE OPEN MEETING

Upon due and proper notice the regular open meeting of the Illinois Civil Service Commission was reconvened at 607 East Adams Street, Suite 801, Springfield, Illinois at 1:52 p.m.

PRESENT

Fredrick H. Bates, Chairman; Anita M. Cummings, Susan Moylan Krey, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; and Assistant Executive Director Andrew Barris.

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department.

| <b>Agency</b>                  | <b>3/31/15</b> | <b>4/30/15</b> | <b>4/30/14</b> |
|--------------------------------|----------------|----------------|----------------|
| Aging                          | 0              | <b>0</b>       | 2              |
| Central Management Services    | 2              | <b>1</b>       | 8              |
| Children and Family Services   | 2              | <b>4</b>       | 2              |
| Corrections                    | 0              | <b>0</b>       | 1              |
| Healthcare and Family Services | 2              | <b>2</b>       | 5              |
| Human Services                 | 2              | <b>7</b>       | 0              |
| Insurance                      | 0              | <b>0</b>       | 1              |
| Juvenile Justice               | 0              | <b>0</b>       | 1              |
| Natural Resources              | 3              | <b>4</b>       | 0              |
| Revenue                        | 0              | <b>0</b>       | 2              |
| State Retirement Systems       | 0              | <b>4</b>       | 1              |
| Transportation                 | 2              | <b>0</b>       | 2              |
| Veterans' Affairs              | 0              | <b>0</b>       | 3              |
| <b>Totals</b>                  | 13             | <b>22</b>      | 28             |

May 15, 2015

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-27-15

|             |                |               |                   |
|-------------|----------------|---------------|-------------------|
| Employee    | Tanya Ling     | Appeal Date   | 12/10/14          |
| Agency      | Human Services | Decision Date | 04/24/15          |
| Appeal Type | Discharge      | Proposal for  | Discharge upheld. |
| ALJ         | Andrew Barris  | Decision      |                   |

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO UPHOLD THE DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED APRIL 24, 2015.

BATES YES CUMMINGS YES  
KREY YES URLACHER YES

S-3-15

|             |                   |               |   |
|-------------|-------------------|---------------|---|
| Employee    | Fee F. Habtes     | Appeal Date   | 7/14/14                                     |
| Agency      | Veterans' Affairs | Decision Date | 5/01/15                                     |
| Appeal Type | Suspension        | Proposal for  | Suspension reduced from 30 days to 20 days. |
| ALJ         | Andrew Barris     | Decision      |   |

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER KREY, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO REDUCE THE SUSPENSION FROM 30 DAYS TO 20 DAYS FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED MAY 1, 2015.

BATES YES CUMMINGS YES  
KREY YES URLACHER YES

XII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-40-15

|             |                     |               |                       |
|-------------|---------------------|---------------|-----------------------|
| Employee    | Laurence Goehl, Jr. | Appeal Date   | 3/23/15               |
| Agency      | Veterans' Affairs   | Decision Date | 4/14/15               |
| Appeal Type | Discharge           | Proposal for  | Dismissed; withdrawn. |
| ALJ         | Andrew Barris       | Decision      |                       |

**DA-41-15**

|             |                   |                       |                       |
|-------------|-------------------|-----------------------|-----------------------|
| Employee    | Cindy S. Alderson | Appeal Date           | 4/01/15               |
| Agency      | Juvenile Justice  | Decision Date         | 4/14/15               |
| Appeal Type | Discharge         | Proposal for Decision | Dismissed; withdrawn. |
| ALJ         | Andrew Barris     |                       |                       |

**IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISIONS OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEALS FOR THE REASONS SET FORTH IN THE PROPOSALS FOR DECISION.**

|              |            |                 |            |
|--------------|------------|-----------------|------------|
| <b>BATES</b> | <b>YES</b> | <b>CUMMINGS</b> | <b>YES</b> |
| <b>KREY</b>  | <b>YES</b> | <b>URLACHER</b> | <b>YES</b> |

**XIII. STAFF REPORT**

Executive Director Daniel Stralka reported that:

- Chairman Bates’ appointment was confirmed by the Senate on April 30, 2015. On that same day, the Commission’s Senate Appropriation hearing took place.
- The Commissioners restated their condolences at the passing of Garrett FitzGerald. Executive Director Stralka advised that in accordance with their wishes, a suitable floral arrangement had been ordered on behalf of the Commission. A resolution was made and unanimously passed to recognize Garrett FitzGerald’s service to the Civil Service Commission as Commissioner and Chairman. A suitable copy of this resolution of appreciation is to be signed by all Commissioners, framed, and presented to the family of Garrett FitzGerald.
- With regard to the ongoing issues regarding the Staff Assistant positions at the Illinois Department of Transportation, the agency provided the Commission a brief response to the Commission’s pending request to be included in any resolution. The response indicated that the agency is working with the Special Master in its pending litigation to craft a narrower definition of “technical” employees as set forth in the Personnel Code. Once that is done, it would be submitted to the Commission for review and comment. Chairman Bates then advised the Commissioners about recent correspondence he sent to the Governor’s Office after discovering that the Illinois Department of Transportation Technical Merit Board was established, though not staffed. Executive Director Stralka then noted that he had previously been advised of the Chairman’s letter and made a follow up telephone call with the Department of Transportation. Executive Director Stralka was advised that there are no plans to staff the Technical Merit Board until a more global resolution of hiring procedures is completed.

- Beckie Daniken compiled ten years of statistical information for a presentation that Executive Director Stralka will be making before the Illinois Government Bar Association and it was decided to share these with the Commissioners. With regard to contested disciplinary appeals that resulted in a final decision by the Commission, the agency's applied discipline was upheld 45% of the time while the employee was either exonerated or received a lesser form of discipline 55% of the time. As to all types of appeals, the success rate for the agencies was 60%. As to final decisions that were subject to Administrative Review actions, the Commission's determination was upheld 89% of the time during this ten-year period (2005 through 2014).

Commissioner Cummings then brought up how these figures compare to the Commission's decisions and a general discussion ensued which all Commissioners participated in.

Assistant Executive Director Andrew Barris made a brief presentation on pending legislation that tangentially affects the Commission. In sum, Senate Bill 0981, sponsored by Sen. Karen McConnaughay, amends several sections of the Illinois Public Labor Relations Act (IPLRA) and the Personnel Code (Code) such as:

- Amends the IPLRA to address the definitions of supervisors, managers, professional employees, public employees and Rutan-exemption in addition to requiring that the IPLRA as amended shall be construed consistently with the Code.
- It also states that the Code shall control if there is a conflict between the IPLRA and the Code.
- The bill adds language to the Code stating that the Code is the "primary determination" regarding rights of employees under the Governor.
- It addresses the definitions of technical and engineering staffs and Central Management Service's role in addressing these definitions, and it adds language regarding the duty of the Central Management Services Director to review Section 4(c) exemptions.
- It adds language regarding the Commission's responsibility in hearing disciplinary appeals by referencing Section 2 (Purpose; construction) and the Code's "primary" role regarding rights of employees.

In sum, HB0574, sponsored by Reps. Michael Madigan, Jim Durkin and Keith Wheeler, creates a separate state agency for the Abraham Lincoln Presidential Library. As a result, current employees at the Illinois Historic Preservation Agency will be transferred to the Department of Commerce and Economic Opportunity, Division of Historic Sites. Those employees transferred shall retain any rights under the Code and/or collective bargaining. However, any new employees hired by the Abraham Lincoln Presidential Library will not be subject to the Code or any collective bargaining agreement.

May 15, 2015

Staff is monitoring this legislation because it contains provisions excluding employees from the protections of the Personnel Code. Chairman Bates related an experience he had with the Director of Central Management Services that indicated a rewrite of the Personnel Code was being considered. It was the consensus of the Commissioners that such an action should not occur without input from the Commission. Staff was directed to follow up with previous communications with Central Management Services on this issue and to monitor this and any other legislation that may arise addressing this possibility.

XIV. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held Friday, June 19, 2015 at 11:00 a.m. in the Commission's Chicago office.

XV. MOTION TO ADJOURN

**IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER CUMMINGS, AND THE MOTION ADOPTED 4-0 TO ADJOURN THE MEETING AT 2:05 P.M.**